

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
FORT WORTH DIVISION

ROGER LEE WYATT,  
Petitioner,

VS.

NATHANIEL QUARTERMAN, Director,  
T.D.C.J., Correctional  
Institutions DIV.,  
Respondent.

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§ CIVIL ACTION NO. 4:08-CV-568-Y  
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ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

In this action brought by petitioner Roger Lee Wyatt under 28 U.S.C. § 2254, the Court has made an independent review of the following matters in the above-styled and numbered cause:

1. The pleadings and record;
2. The proposed findings, conclusions, and recommendation of the United States magistrate judge filed on January 9, 2008; and
3. The petitioner's written objections to the proposed findings, conclusions, and recommendation of the United States magistrate judge filed on January 26, 2009.

The Court, after **de novo** review, concludes that Petitioner's objections must be overruled, that the respondent's motion to dismiss must be granted, and that the petition for writ of habeas corpus should be dismissed with prejudice as time-barred under 28 U.S.C. § 2244, for the reasons stated in the magistrate judge's findings and conclusions.

Therefore, the findings, conclusions, and recommendation of the magistrate judge are ADOPTED.

Quarterman's motion to dismiss [docket no. 9] is GRANTED.

Petitioner Roger Lee Wyatt's petition for writ of habeas corpus is DISMISSED WITH PREJUDICE.

SIGNED January 30, 2009.

Terry R. Means  
TERRY R. MEANS  
UNITED STATES DISTRICT JUDGE